



Environment
Canada

Environnement
Canada

2011 - 2012

**Annual Report
to Parliament**

*Access to
Information Act*

Canada 

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INTRODUCTION

The *Access to Information Act* (R.S.C. 1985, c. A-1) came into force on July 1, 1983. The *Act* grants Canadian citizens, permanent residents, and persons residing in Canada the right to access information in records held by the federal government, except for types of information falling under the exemptions or exclusions. Section 72 of the *Act* requires every head of a federal government institution to submit a report to Parliament on the administration of the *Act* within their institution during the fiscal year.

This report is submitted in accordance with section 72 of the *Act*. It presents an overview of access to information activities carried out within Environment Canada during the reporting period April 1, 2011 to March 31, 2012.

The Department of the Environment was established by the *Government Reorganization Act* (1970-71-72, c. 42) on June 10, 1971. A number of acts and regulations provide the Department with its mandate and allow it to carry out its programs. Under the *Department of the Environment Act*, the powers, duties and functions of the Minister of the Environment extend to and include matters relating to:

- the preservation and enhancement of the quality of the natural environment, including water, air and soil quality;
- renewable resources, including migratory birds and other non-domestic flora and fauna;
- water;
- meteorology;
- the enforcement of any rules or regulations made by the International Joint Commission relating to boundary waters; and
- the coordination of the policies and programs of the Government of Canada respecting the preservation and enhancement of the quality of the natural environment.

ORGANIZATIONAL STRUCTURE

The Director General of the Corporate Secretariat is Environment Canada's Access to Information and Privacy Coordinator, and has delegated authority on all matters concerning Access to Information and Privacy (ATIP). The ATIP Secretariat, which is a part of the Corporate Secretariat, is the central coordinating body for all requests received by Environment Canada under the *Access to Information Act* and the *Privacy Act*.

The ATIP Secretariat directs all activities within Environment Canada relating to the administration, application, and promotion of the *Access to Information Act* and the *Privacy Act*. It provides advice to senior management on the implementation of the statutes and prepares reports to Parliament,

the Treasury Board Secretariat, and senior management. The ATIP Secretariat represents the Department in complaints and investigations conducted by the Information Commissioner and Privacy Commissioner of Canada, and in any Federal Court applications arising from ATIP matters.

Capacity Development

Environment Canada is continuing to focus on developing capacity through its ATIP Professional Development Program. The program aims to train employees over a period of three to five years through a combination of competency-based training, professional development training, and work assignments. Candidates enter the program at the PM-01 or PM-02 level and will graduate as Senior ATIP Advisors at the PM-04 level. A third round of recruitment was completed in 2011-2012.

The Professional Development Program will improve the long-term sustainability of the ATIP Secretariat and address the shortage of trained ATIP staff. In addition to allowing the Secretariat to handle increasing workloads, it will facilitate succession planning through the transfer of corporate memory and encourage staff to remain with the Department for a longer period of time.

Environment Canada's ATIP Secretariat also engaged in a number of staffing activities throughout the year in an effort to improve the Department's capacity in the face of increasing workloads. The ATIP Secretariat supplemented its staff by hiring consultants.

Environment Canada remains committed to recruiting, training and maintaining a workforce that possesses specialized skills and that will continue to provide the best possible service to both internal and external clients.

DELEGATION ORDER

Decision-making responsibility for the application of the various provisions of the *Access to Information Act* has been formally established and is outlined in the departmental Delegation of Authority Instrument. The current Designation Order was approved by the Honourable Peter Kent, Minister of the Environment, on January 6, 2011. A copy of the designation order as well as the specific delegation notes pertaining to the *Access to Information Act* are in Appendix B on page 20 of this report.

INTERPRETATION OF THE STATISTICAL REPORT

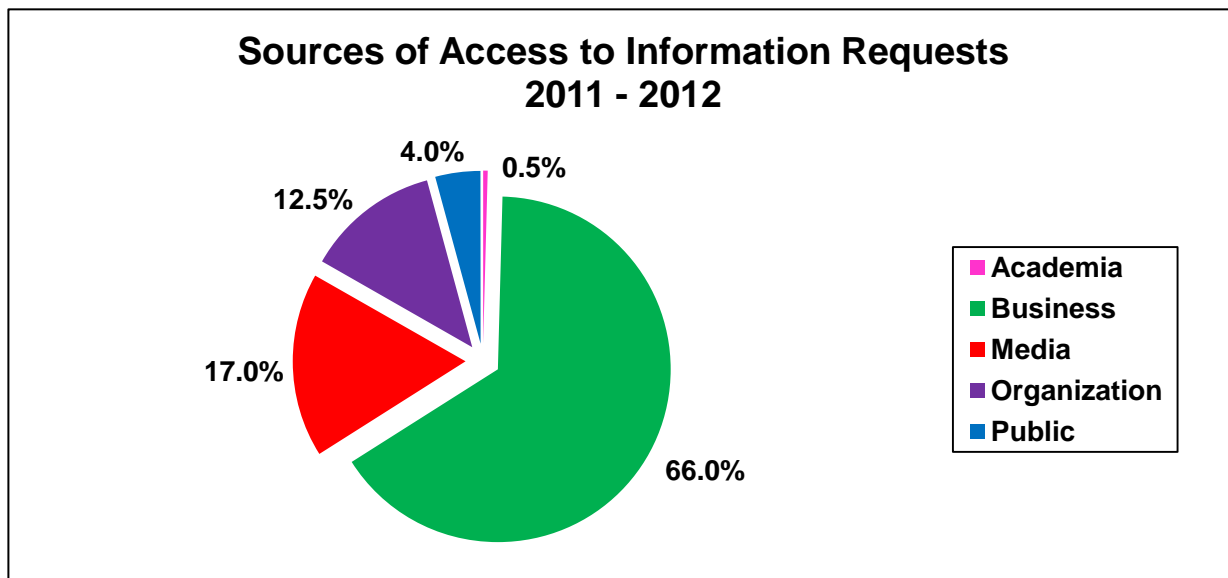
Environment Canada's Statistical Report on the *Access to Information Act* is included in Appendix A on page 13 of this report.

Due to the changes in the reporting requirements for the statistical and annual reports, Environment Canada used a combination of electronic and manual reporting this fiscal year to ensure compliance with the new requirements and that all data submitted was accurate. To compile statistics, the ATIP Secretariat used a combination of electronic reports generated by the ATIP systems, self-reporting by analysts, and manual research.

Between April 1, 2011 and March 31, 2012, Environment Canada received 1,421 requests under the *Access to Information Act*. There were 172 requests carried forward from the 2010-2011 reporting period, for a total of 1,593 active requests in the 2011-2012 reporting period. In 2011-2012, a total of 1,425 requests were completed and 168 were carried forward to the next reporting period.

The following is a percentage breakdown of the sources of access to information requests received in 2011-2012:

Source	Number	Percentage
Academia	6	0.5%
Business	932	66.0%
Media	245	17.0%
Organization	178	12.5%
Public	60	4.0%
Total	1,421	100%

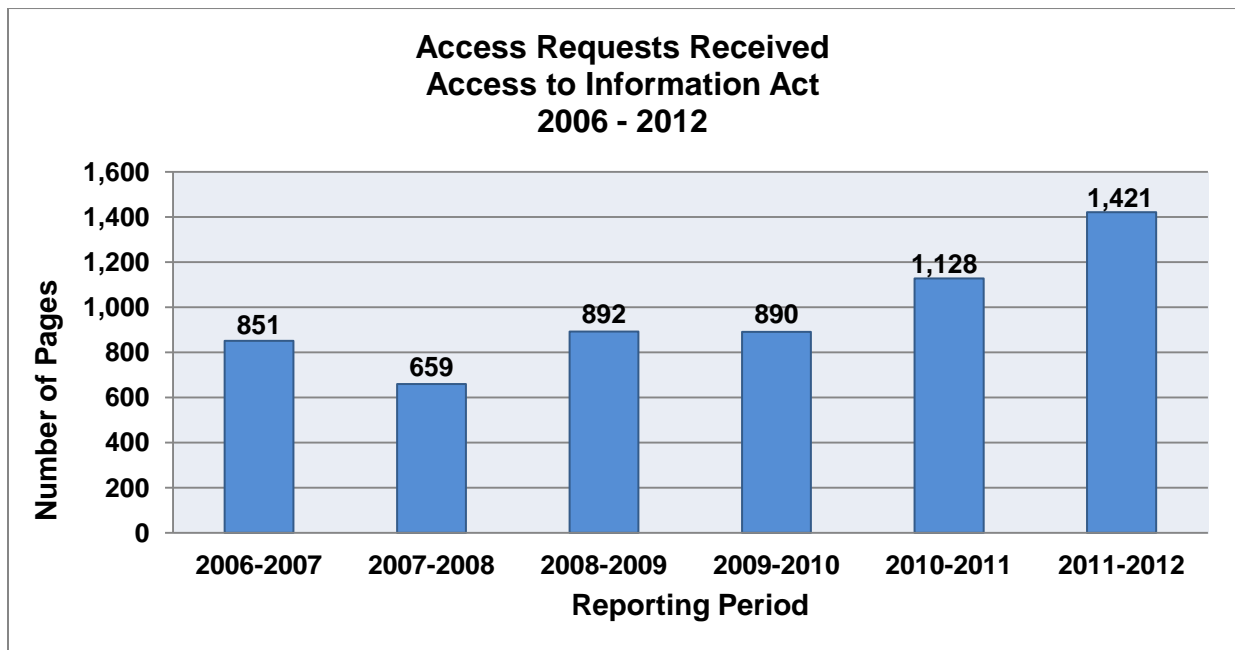


During the 2011-2012 reporting period 183 requests were abandoned by applicants for various reasons, including the requirement to pay additional fees. In addition to the abandoned requests, two requests were received by Environment Canada for records under the control of other departments and they were transferred to the organizations concerned.

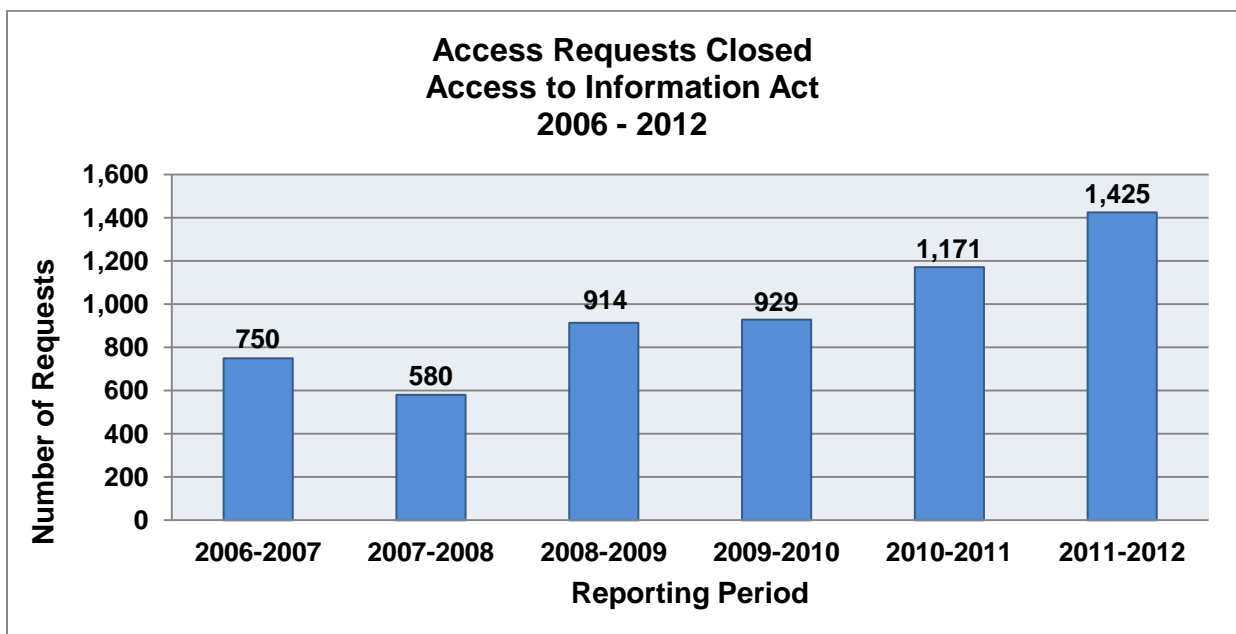
There were 812 requests for information for which there was no record. Environment Canada receives a number of requests each year for documents pertaining to the environmental compliance of properties. Most of these no-record requests consisted of environmental compliance requests where no records were located concerning the properties in question.

In 2011-2012, there was a substantial increase in the number of access to information requests received by Environment Canada. The 1,421 access to information requests received in the 2011-2012 reporting period represents a 26% increase over the previous reporting period. In addition, the number of access requests completed during the 2011-2012 fiscal year increased by 22% compared with the previous reporting period.

The following graph displays the number of access to information requests that were **received** by the ATIP Secretariat from 2006-2007 to 2011-2012:

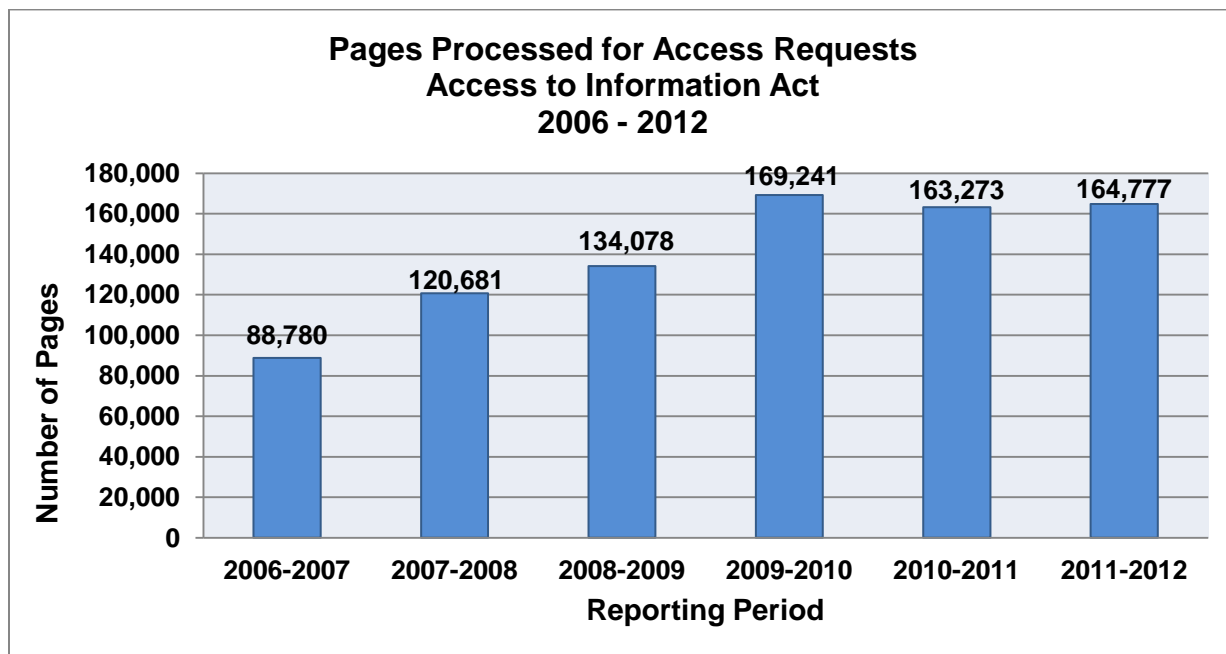


This next graph displays the number of access to information requests that were **closed** by the ATIP Secretariat from 2006-2007 to 2011-2012:



The number of pages processed in response to access to information requests during the 2011-2012 reporting period was slightly higher than in the 2010-2011 reporting period: 164,777 pages processed compared with 163,273 pages during the previous period. This is an increase of 1%.

The following graph displays the number of pages processed by the ATIP Secretariat in processing access to information requests under the *Access to Information Act* from 2006-2007 to 2011-2012:



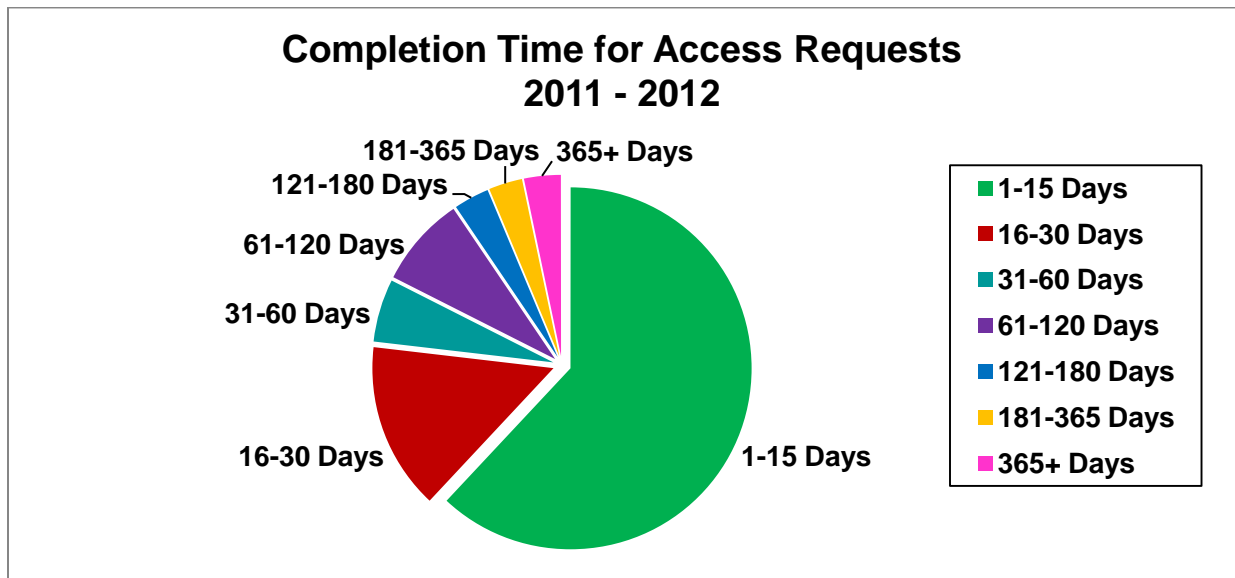
Exemptions and Exclusions

The *Access to Information Act* prescribes a number of exemptions and exclusions which allow or require the Department to refuse to disclose certain types of information. The two most common exemptions invoked by Environment Canada in 2011-2012 were for personal information (section 19) and government operations (section 21). In 2011-2012, exemptions and/or exclusions were cited in 20% of the completed requests.

Time Limitations

During the 2011-2012 reporting period, 1,095 (77%) of the completed requests were processed within the initial 30-day period. This included 883 completed in the first 15 days, and 212 completed between 16 and 30 days.

The following graph displays the breakdown of completion times for requests completed during the 2011-2012 reporting period:



A total of 125 requests were completed beyond the legislated deadline. Of the 125 late requests, 77 requests were late as a result of the need to conduct external consultations.

Extension of Time Limits

Section 9 of the *Access to Information Act* allows government institutions to extend the deadline for responding to a request if the request requires the institution to search a large number of records, to consult with other government institutions, or to communicate with third parties.

In 2011-2012, 51 requests required extensions of 30 days or less, 148 required an extension of between 31 and 60 days, 129 required an extension of between 61 to 120 days, and 14 required an extension of 121 days or more. In total, 342 requests required an extension past the original deadline of 30 days. The main reason for extensions was due to the large volume of records involved in completing requests.

Complexity of Files

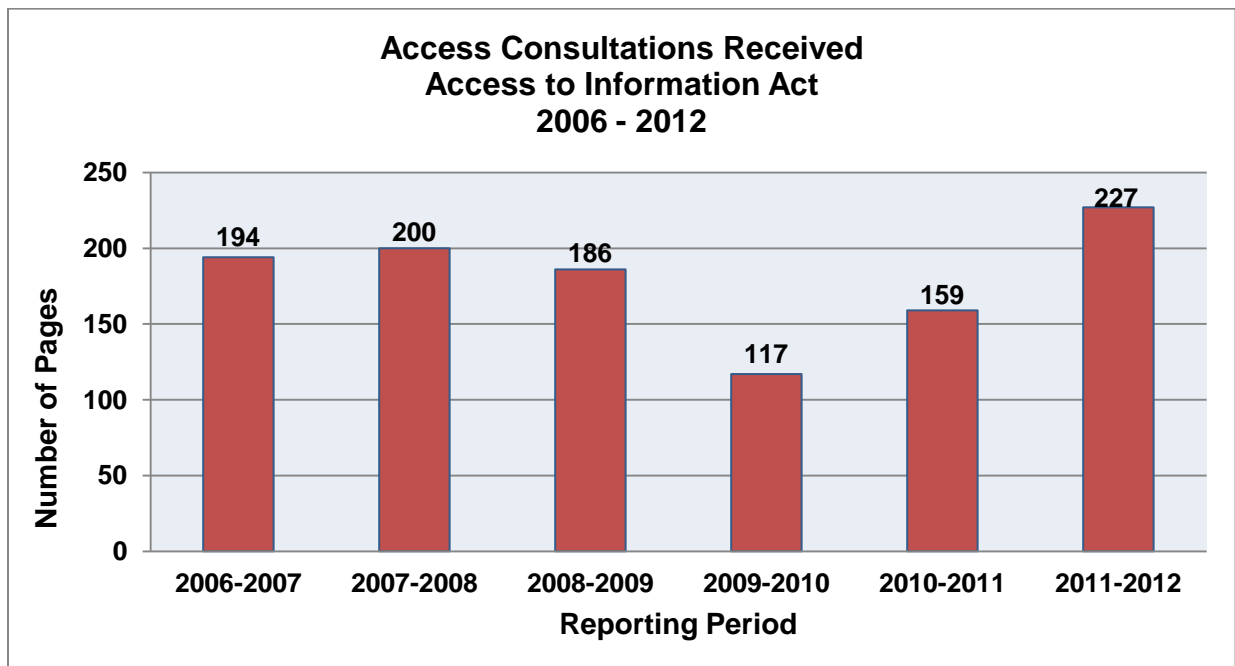
A number of files were considered complex for various reasons. Out of the 1,425 requests closed during the 2011-2012 reporting period, 234 were considered to be complex. One hundred and ninety-two (192) requests were complex due to the need to conduct consultations, 17 requests were considered complex due to the assessment of fees, nine requests required legal advice, and 16 requests were classified in the “other” category. The “other” category consists of files containing high-profile subject matter, records held in a region or another country, or records that are in a language other than French or English.

Consultations

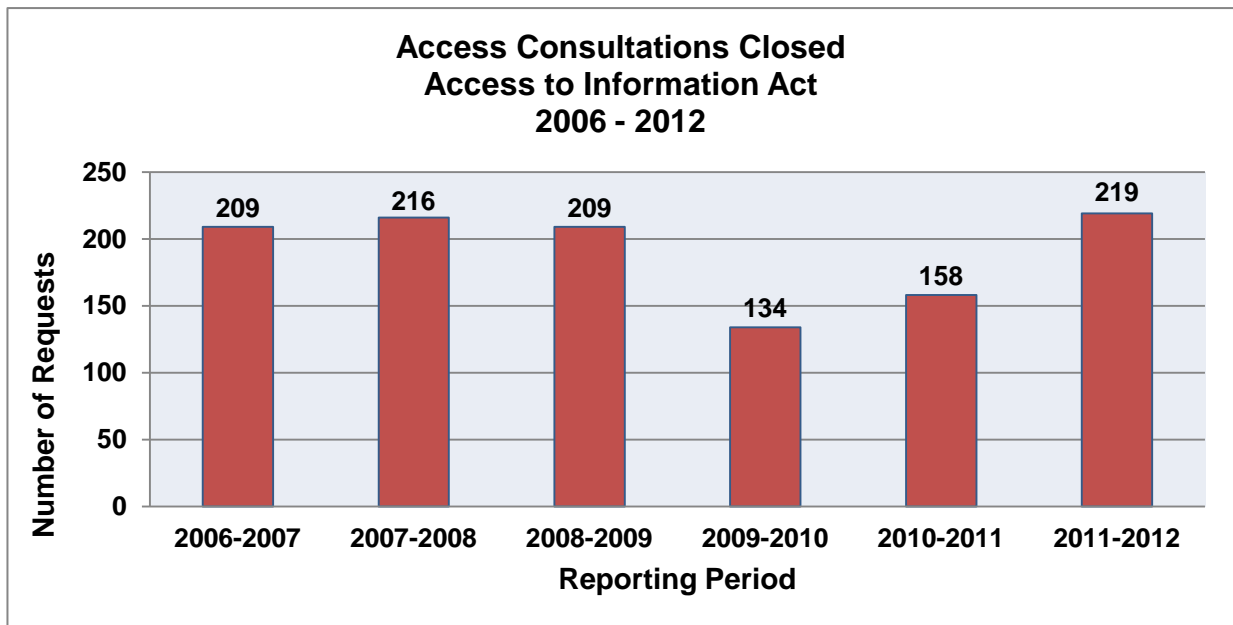
As an integral part of departmental processing procedures, other government institutions are consulted if access requests contain issues of interest to them. Although formal consultations are undertaken in writing, additional discussions between ATIP offices are initiated as required in order to facilitate the completion of each case. Consultations are also regularly undertaken with third parties and other levels of government.

In 2011-2012, Environment Canada received 227 access to information consultations from other federal government institutions. This constitutes a 43% increase relative to the previous reporting period. In addition, 219 access consultations were completed during the 2011-2012 reporting period, an increase of 39% compared with the previous reporting period. There were four access consultations outstanding from the previous reporting period and 12 access consultations were carried forward to the next reporting period.

The following graph displays the number of access to information consultations that were **received** by the ATIP Secretariat from 2006-2007 to 2011-2012:

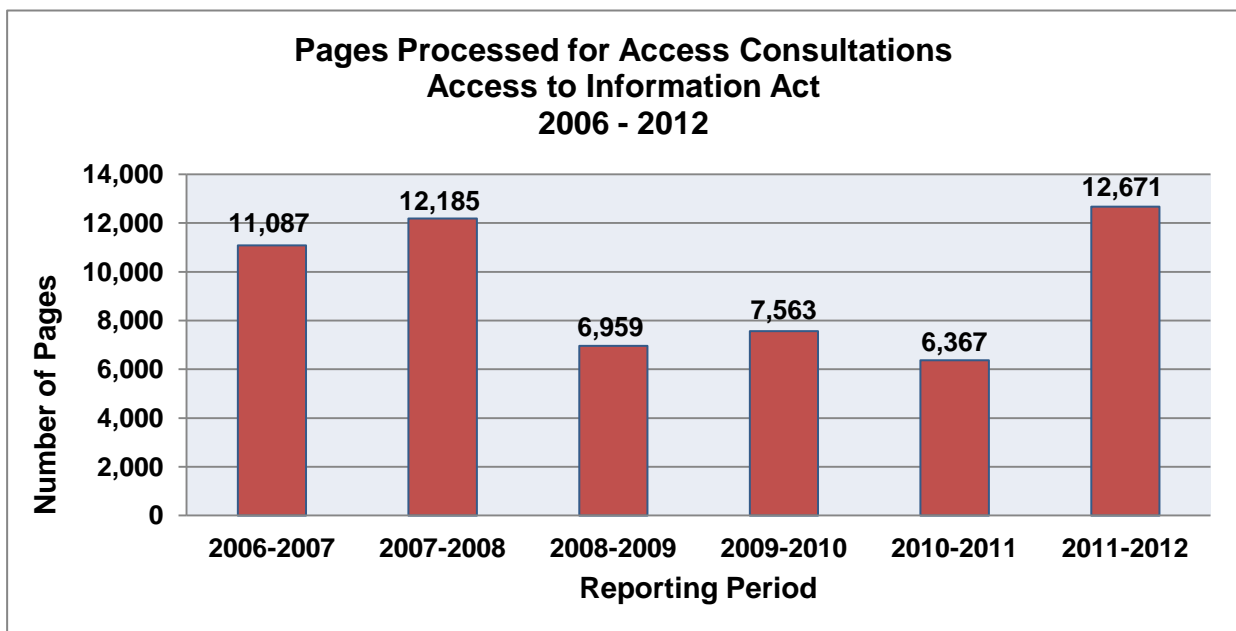


This next graph displays the number of access to information consultations that were **closed** by the ATIP Secretariat from 2006-2007 to 2011-2012:



The number of pages processed in response to access to information consultations during the 2011-2012 reporting period increased significantly over the 2010-2011 reporting period: 12,671 pages were processed for consultations compared to 6,367 pages during the previous period. This is an increase of 99%.

The following graph displays the number of pages processed by the ATIP Secretariat in response to access to information consultations received from 2006-2007 to 2011-2012:



During the 2011-2012 reporting period, 186 (89%) of the completed access consultations were processed within the initial 30-day period. This included 95 completed in the first 15 days, and 91 completed between 16 and 30 days.

Environment Canada undertook 79 consultations with Privy Council Office, Legislation and House Planning in 2011-2012. Fifty-Nine (59) responses received in 2011-2012 were received past the deadline. This resulted in delays of up to more than 365 days to complete the processing of a request.

Informal Requests

Between April 1, 2011 and March 31, 2012, Environment Canada received 155 informal access to information requests. There were two informal requests carried forward from the 2010-2011 reporting period, for a total of 157 active informal requests in the 2011-2012 reporting period. In 2011-2012, a total of 143 informal requests were completed and 14 were carried forward to the next reporting period.

This represents a significant increase in the number of informal requests received compared to the 2010-2011 reporting period when only 30 informal requests were received. This increase resulted from Environment Canada's publication of completed access to information request summaries on the Department's external website which began in January 2012.

Fees

In the 2011-2012 reporting period, total fees of \$12,818 were collected for the processing of 1,422 requests. This consisted of search fees in the amount of \$5,883 and application fees totaling \$6,935. No other fees were charged for production, preparation or reproduction.

In accordance with Treasury Board Secretariat guidelines, Environment Canada waived fees which individually amounted to \$25 or less, although no waiver is granted for the initial \$5 application fee.

Costs

The cost involved in administering the *Access to Information Act* was \$737,200 for salary and \$370,000 for goods and services (\$300,000 for professional service contracts, and \$70,000 for other costs). This brings the total cost to \$1,107,200.

TRAINING ACTIVITIES

The Department's ATIP Secretariat continued its training and development activities in the 2011-2012 reporting period. Five information and training sessions were held, attended by approximately 80 Environment Canada employees. The sessions included an overview of the *Access to Information Act* and a description of internal procedures and associated deadlines for responding to requests. Information and training activities will continue throughout the 2012-2013 reporting period.

In addition, there were 20 Information Management awareness sessions held for Environment Canada employees which included an Access to Information module. Approximately 300 employees attended the Information Management sessions in 2011-2012.

POLICIES, GUIDELINES AND PROCEDURES

Each year, the ATIP Secretariat submits updates on Environment Canada's activities and information holdings to the Treasury Board Secretariat for publication in Info Source. During 2011-2012 Environment Canada continued to revise its Info Source chapter based on the Department's program activity architecture.

Publicly Accessible Information and Inquiry Points

Info Source is a series of publications containing information on the Government of Canada and on the government's data collection activities. Info Source is intended to help the public access government information and to exercise their rights under the *Privacy Act* and *Access to Information Act*.

Environment Canada's comprehensive website provides information on the Department's policies, its organizational structure, and the means to contact Department officials. In accordance with the federal government's policy of proactive disclosure, the Department's website also allows access to internal evaluations and audits, as well as information on hospitality expenses, contracts, and grants.

Environment Canada has an Access to Information and Privacy web page that provides background information on both the *Access to Information Act* and the *Privacy Act*. It also contains a Frequently Asked Questions section and links to access to information request forms, personal information request forms and summaries of completed access to information requests.

In order to facilitate public access to information and to comply with the *Act*, the Environment Canada Library has been designated a public reading room. The Library is located on the second floor of the Place Vincent Massey building, 351 St. Joseph Boulevard, Gatineau, Québec.

COMPLAINTS/INVESTIGATIONS

During the 2011-2012 reporting period, 15 complaints were filed with the Office of the Information Commissioner of Canada against Environment Canada. Five of these complaints as well as 11 complaints from previous reporting periods were completed in 2011-2012. Ten (10) complaints received from this reporting period and 11 complaints from previous years remain outstanding.

The following table provides a breakdown of the reasons for and results of the complaints that were completed in 2011-2012:

Reason for Complaint	Number of Decisions	Results of Investigations					
		Well founded, resolved without recommendations	Well founded, with recommendations - resolved	Well founded, with recommendations - not resolved	Not well founded	Discontinued	Settled
Delay	3	2	x	x	x	1	x
Exemptions/ Exclusions	6	2	x	x	1	3	x
Extensions	5	x	x	x	5	x	x
Fees	1	1	x	x	x	x	x
Miscellaneous	x	x	x	x	x	x	x
Refusal - 69	x	x	x	x	x	x	x
Refusal - General	x	x	x	x	1	x	x
Total	16	5	0	0	7	4	0

Explanation of the Results of Investigations

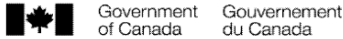
- **Well founded** - The Office of the Information Commissioner (OIC) found evidence of the complainant's rights being denied under the *Access to Information Act*. It was necessary for the OIC to report the finding of the investigation and provide recommendations where appropriate.
 - **Well founded, resolved without recommendations** - The institution took remedial action to the satisfaction of the OIC during the course of the investigation. The OIC did not need to provide a recommendation to the head of the institution.
 - **Well founded, with recommendations - resolved** - If the head of the institution accepted the OIC recommendations and remedial action was taken by the institution to the satisfaction of the OIC, the matter is considered resolved and no further action by the OIC is necessary.
 - **Well founded, with recommendations - not resolved** - If the head of the institution did not accept the recommendations of the OIC, or if the remedial action was not to the satisfaction of the OIC, the complainant will be informed that the matter is not resolved and the complainant, or the OIC with the complainant's consent, can pursue the matter in Court where the matter relates to a refusal.
- **Not well founded** - As a result of the investigation, the OIC found that the institution applied the *Access to Information Act* correctly.
- **Discontinued** - The complaint was withdrawn or abandoned by the complainant before allegations were fully investigated
- **Settled** - In the case of a minor error, the complaint was settled to the satisfaction of the OIC without the need for the OIC to make a finding.

Applications/Appeals to the Federal Court or Federal Court of Appeal

T-1014-04 *Sheldon Blank v. Minister of the Environment* - The application filed pursuant to section 41 of the *Access to Information Act* in 2004/2005 was still before the Federal Court of Canada at the end of the reporting period.

T-828-12 *Sheldon Blank v. Minister of the Environment* - An application was filed pursuant to section 41 of the *Access to Information Act* in March 2012.

APPENDIX A: STATISTICAL REPORT



Government of Canada / Gouvernement du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Environment Canada

Reporting period: 01/04/2011 to 31/03/2012

PART 1 – Requests under the *Access to Information Act*

1.1 Number of Requests

	Number of Requests
Received during reporting period	1421
Outstanding from previous reporting period	172
Total	1593
Closed during reporting period	1425
Carried over to next reporting period	168

1.2 Sources of requests

Source	Number of Requests
Media	245
Academia	6
Business (Private Sector)	932
Organization	178
Public	60
Total	1421

PART 2 – Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	29	51	23	32	4	2	1	142
Disclosed in part	14	41	33	69	40	40	36	273
All exempted	0	5	1	4	1	0	0	11
All excluded	1	1	0	0	0	0	0	2
No records exist	704	92	13	2	0	0	1	812
Request transferred	2	0	0	0	0	0	0	2
Request abandoned	133	22	10	8	0	1	9	183
Treated informally	0	0	0	0	0	0	0	0
Total	883	212	80	115	45	43	47	1425

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests	Section	Number of requests
13(1)(a)	19	16(2)(a)	8	18(a)	1	20.1	0
13(1)(b)	2	16(2)(b)	18	18(b)	1	20.2	0
13(1)(c)	33	16(2)(c)	41	18(c)	2	20.4	0
13(1)(d)	3	16(3)	0	18(d)	16	21(1)(a)	115
13(1)(e)	0	16.1(1)(a)	1	18.1(1)(a)	0	21(1)(b)	115
14(a)	48	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	45
14(b)	21	16.1(1)(c)	2	18.1(1)(c)	1	21(1)(d)	11
15(1) - I.A.*	66	16.1(1)(d)	0	18.1(1)(d)	0	22	6
15(1) - Def.*	1	16.2(1)	0	19(1)	224	22.1(1)	2
15(1) - S.A.*	0	16.3	0	20(1)(a)	11	23	53
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	91	24(1)	3
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	2
16(1)(a)(iii)	1	16.5	0	20(1)(c)	41		
16(1)(b)	9	17	1	20(1)(d)	14		
16(1)(c)	22						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	12	69(1)(a)	9	69(1)(g) re (a)	19
68(b)	1	69(1)(b)	1	69(1)(g) re (b)	0
68(c)	0	69(1)(c)	2	69(1)(g) re (c)	49
68.1	0	69(1)(d)	2	69(1)(g) re (d)	1
68.2(a)	1	69(1)(e)	31	69(1)(g) re (e)	28
68.2(b)	0	69(1)(f)	1	69(1)(g) re (f)	2
				69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	130	12	0
Disclosed in part	207	66	0
Total	337	78	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	3,143	3,143	142
Disclosed in part	158,307	112,339	273
All exempted	1,252	0	11
All excluded	51	0	2
Request abandoned	2,024	0	183

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
All disclosed	135	2,168	7	975	0	0	0	0	0	0
Disclosed in part	138	4,224	93	17,117	18	9,996	16	22,870	8	58,132
All exempted	8	0	2	0	1	0	0	0	0	0
All excluded	2	0	0	0	0	0	0	0	0	0
Abandoned	178	0	4	0	1	0	0	0	0	0
Total	461	6392	106	18092	20	9996	16	22870	8	58132

2.5.3 Other complexities

Disposition	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	22	2	0	2	26
Disclosed in part	153	15	9	13	190
All exempted	4	0	0	1	5
All excluded	0	0	0	0	0
Abandoned	13	0	0	0	13
Total	192	17	9	16	234

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
125	30	77	10	8

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	3	10	13
16 to 30 days	1	12	13
31 to 60 days	0	12	12
61 to 120 days	0	20	20
121 to 180 days	0	11	11
181 to 365 days	1	20	21
More than 365 days	14	21	35
Total	19	106	125

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

PART 3 – Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third party notice
		Section 69	Other	
All disclosed	30	2	19	11
Disclosed in part	95	27	63	47
All exempted	3	0	4	1
All excluded	0	0	0	0
No records exist	10	1	1	3
Request abandoned	16	0	4	5
Total	154	30	91	67

3.2 Length of extensions

Length of extensions	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third party notice
		Section 69	Other	
30 days or less	32	0	16	3
31 to 60 days	54	4	39	51
61 to 120 days	62	26	29	12
121 to 180 days	3	0	7	1
181 to 365 days	3	0	0	0
365 days or more	0	0	0	0
Total	154	30	91	67

PART 4 – Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of requests	Amount	Number of requests	Amount
Application	1,387	\$6,935	14	\$70
Search	35	\$5,883	28	\$3,213
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	163	\$847
Total	1422	\$12,818	205	\$4,130

PART 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	203	12,110	24	561
Outstanding from the previous reporting period	4	1,673	0	0
Total	207	13783	24	561
Closed during the reporting period	197	13,559	22	490
Pending at the end of the reporting period	10	224	2	71

5.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	57	43	13	0	0	0	0	113
Disclose in part	21	32	18	2	0	0	0	73
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	2	2	0	0	0	0	0	4
Consult other institution	6	1	0	0	0	0	0	7
Other	0	0	0	0	0	0	0	0
Total	86	78	31	2	0	0	0	197

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	9	10	0	0	0	0	0	19
Disclose in part	0	2	0	0	0	0		2
Exempt entirely	0	1	0	0	0	0	0	1
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	9	13	0	0	0	0	0	22

PART 6 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	11	6
16 to 30	9	10
31 to 60	17	12
61 to 120	16	4
121 to 180	4	1
181 to 365	6	5
More than 365	16	16
Total	79	54

PART 7 – Resources related to the Access to Information Act

7.1 Costs

Expenditures		Amount
Salaries		\$737,200
Overtime		\$0
Goods and Services		\$370,000
• Professional services contracts	\$300,000	
• Other	\$70,000	
Total		\$1,107,200

7.2 Human Resources

Resources	Dedicated full-time to ATI activities	Dedicated part-time to ATI activities	Total
Full-time employees	10.00	1.00	11.00
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	2.00	0.00	2.00
Students	1.00	0.00	1.00
Total	13.00	1.00	14.00

APPENDIX B: DESIGNATION ORDER INSTRUMENT

Environment Canada
Delegation of Financial Signing Authorities and Designation Order Instrument: Part A, Summary Chart
Effective on January , 2011

Accountability Level	Operational Authorities	Functional Authorities			
		6	7	8	9
1.00 Spending Authority - Expenditure Initiation with Availability of Funds					
1.01 Goods and Services (including contract initiation)	approved budget	F	F	F	F
1.02 Human Resources - Staffing, Pay Actions, Training	approved budget	F	F	F	C
1.03 Travel in Canada and Continental USA	approved budget	F	F	F	F
1.04 Relocation	approved budget	F	F	F	C
1.05 Isolated Posts	approved budget	F	F	C	C
1.06 International Travel	approved budget	F	-	-	-
1.07 Conference Attendance	approved budget	F	C	C	-
1.08 Conference Sponsorship	approved budget	F	-	-	-
1.09 Membership Fees	approved budget	F	C	C	-
1.10 Hospitality	approved budget	C	C	C	-
1.11 Grants and Contributions	approved budget	C	C	C	-
1.12 Ex-Gratia Payments	approved budget	C	C	C	-
1.13 Claims by or against the Crown	approved budget	F	C	C	-
2.00 Commitment Authority - Availability of Funds (Section 32 FAA)					
2.01 All Expenditures	approved budget	F	F	F	F
3.00 Contracting Authority - to enter into contracts (managers remain accountable for the management and administration of their contracts)					
3.01 Goods (Amendment)	25K	F(F)	C	C	C
3.02 Services (Amendment)	as per TB policy	F(F)	C	C	C
3.04 Call-up against Standing Offers	as per Standing Offer limit	F(F)	C	C	C
3.05 Architectural & Engineering Service Contracting (Amendment)	as per TB policy	F(F)	-	-	-
3.06 Construction Contracting (Amendment)	as per TB policy	F(F)	-	-	-
3.07 Emergency Contracting	1M	F	F	F	C
3.08 Purchasing Test Vehicles (Amendment)	as per TB policy	F(F)	-	-	-
4.00 Project Authority					
4.01 Projects - Property Management Division	as per TB policy	C	C	-	-
4.02 Projects - Projects - Chief Information Officer Branch (CIOB)	as per TB policy	C	C	-	C
4.03 Projects - Integrated Enterprise Services (IES)	as per TB policy	C	C	C	-
4.04 Projects - Other	as per TB policy	C	C	-	-
5.00 Other Contracting Authorities					
5.01 Revenue Contracting		F	F	F	C
6.00 Spending Authority - Contract Performance and Price, Eligibility or Entitlement (Section 34 FAA)					
6.01 All Expenditures	approved budget	F	F	F	F
7.00 Payment Authority (Section 33 FAA)					
7.01 All Expenditures	approved budget	F	-	-	-
7.02 Pay & Benefits Expenditures	approved budget	F	-	-	-
8.00 Other Authorities					
8.01 Request for Special Distribution of RG Cheques		F	-	-	-
8.02 Release of Security Deposits		F	-	-	-
8.03 Intellectual Properties including License Fees		F	C	C	C
8.04 Amend Delegation Instrument		C	-	-	-
8.05 Deletion of Debts		F	C	C	-
8.06 Waive or Reduce Interest or Administrative Charges		F	-	-	-
8.07 Set-Off per Section 155 (1) FAA		F	C	C	-
8.08 Write-off of Materiel	as per TB policy	C	C	C	-
8.09 Disposal of Surplus Assets	as per TB policy	C	C	C	-
8.10 Donation of Surplus Assets	as per TB policy	C	C	C	-
8.11 Collaborative Arrangements	approved budget	F	C	C	C
8.12 Specific Service Agreements	approved budget	F	-	-	-
8.13 Federal Real Property Transactions	as per TB policy	F	-	-	-
9.00 Designation Order					
9.01 Section 73 of the Privacy Act		F	-	-	-
9.02 Section 73 of the Access to Information Act		F	-	-	-

Delegation of Financial Signing Authorities and Designation Order Instrument

Delegation of Financial Signing Authorities - Every Officer of the Department appointed to a position listed on the Summary Chart and on the List of Equivalent Positions, including those officially appointed on acting basis, is hereby granted financial signing authorities within the stated limits therein and in accordance with relevant statutes, regulations and directives. Limits may be modified, from time to time under the authority of the Deputy Minister to reflect changes in authorities as approved by Treasury Board.

Designation Order Instrument - Every Officer of the Department appointed to a position listed on the Summary Chart and on the List of Equivalent Positions, including those officially appointed on acting basis, is hereby designated to perform the duties and functions of the Minister, as head of a government institution, pursuant to Section 73 of the Privacy Act and Section 73 of the Access to Information Act.

[Signature] JAN 6 2011
Honorable Peter Kent
Minister of Environment

[Signature]
Dr. Paul Boothe
Deputy Minister of the Environment

- Notes:
- This Summary Chart must be read in conjunction with Part B - List of Equivalent Positions, Part C - Specific Delegation Notes and Part D - Real Property Delegation Instrument.
 - The authorities which extend to the full resource balance available in the relevant budget are limited by policies and procedures prescribed in TB regulations and directives issued pursuant to the Financial Administration Act (FAA) and by departmental directives.
 - Signing authorities for Grants and Contributions are subject to the terms and conditions approved by the Treasury Board or the Minister in accordance with the authority delegated to the Minister by the Treasury Board.
 - Spending authority (Section 34, FAA) and Payment authority (Section 33, FAA) for a particular payment, are not to be exercised by the same person.
 - Individuals are not to approve payments through which they may personally benefit.

Departmental Limit = the maximum authority granted to the Minister in dollars.
C = Conditional authority as set out in Part C. K = Thousands of dollars
F = Full authority within approved budget and subject to authorities delegated to the department. M = Millions of dollars

SPECIFIC DELEGATION NOTES

SECTION 9.00 – DESIGNATION ORDER

The purpose of this Section is to establish the framework for managing the Access to Information Act and the Privacy Act. The Minister of Environment Canada pursuant to Section 73 of the Privacy Act and Section 73 of the Access to Information Act, hereby designates that persons holding the positions set out below to exercise the powers to perform the duties and functions of the Minister, as head of a government institution, under the sections of the Act specified opposite each position.

Position	Privacy Act Section	Access to Information Act Section
Level 1	All sections	All sections
Level 6	All sections	All sections
Director, Corporate Secretariat	All sections	All sections
Manager, ATIP Secretariat	All sections	All sections
Chief, ATIP Secretariat	15	7(a), 8, 9, 11, 27

SECTION 9.02 – Section 73 of the Access to Information Act

The powers, duties and functions that may be delegated under Section 73 of the Access to Information Act are set out below, in relation to its various sections and subsections.

7(a)	Respond to request for access, give access or give notice
8(1)	Transfer to institution with greater interest
9	Extension of time limits
11	Assess fees
12(2)(b)	Translate a record
12(3)	Provide access in an Alternative Format
13(1)	Apply exemption – Information obtained in confidence from other governments
14	Apply exemption – Federal-Provincial Affairs
15	Apply exemption – International affairs and defence
16	Apply exemption – Law enforcement and investigation
17	Apply exemption – Safety of individuals
18	Apply exemption – Economic interests of Canada
19(1)	Apply exemption – Personal information
19(2)	Disclose personal information
20	Apply exemption – Third party information
22	Apply exemption – Testing procedures
23	Apply exemption – Solicitor/client privilege
27	Give notice to third parties

www.ec.gc.ca

Additional information can be obtained at:

Environment Canada

Inquiry Centre

10 Wellington Street, 23rd Floor

Gatineau QC K1A 0H3

Telephone: 1-800-668-6767 (in Canada only) or 819-997-2800

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